

JS 6

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

HSIAO & MONTANO, INC., a
California corporation, dba ODYSSEY
INNOVATIVE DESIGNS,

Plaintiff,

vs.

RACK IN THE CASES LIMITED, dba
RACK IN THE CASES, a China business
entity of unknown form; TAISHAN
TULE AUDIO TECHNOLOGY
DEVELOPMENT CO., LTD., dba TULE
INTERNATIONAL LIMITED, dba
TULE INTERNATIONAL, dba TULE
INTERNATIONAL (CHINA) LIMITED,
a China business entity of unknown form;
ZHANG HUA PING a.k.a. HUA PING
ZHANG, an individual; MANAGED
SOLUTIONS GROUP INC., a California
corporation; AKANOC SOLUTIONS
INC., a California corporation; STEVEN
CHEN a.k.a. STEVE CHEN, an
individual; GODADDY.COM, INC., an
Arizona corporation; and DOES 1 through
10, inclusive,

Defendants.

CASE NO. CV10-3411DSF (FMOx)

JUDGMENT

Defendant GODADDY.COM having been voluntarily dismissed, and the Court
having granted in part and denied in part Plaintiff's motion for entry of default judgment
against all other Defendants,

1 IT IS ORDERED AND ADJUDGED that:

2 1) Defendants, as well as their agents, servants, employees, and all persons in active
3 concert and participation with them who receive notice of the injunction, are restrained
4 from:

5 a) infringing Plaintiff's registered trademarks "ODYSSEY" Registration No.
6 2,674,302, "ODYSSEY" Registration No. 2,760,864, and "ODYSSEY INNOVATIVE
7 DESIGNS" Registration No. 2,519,263 (collectively "Odyssey Marks"), either directly or
8 contributorily, in any manner, including, but not limited to manufacturing, importing,
9 distributing, advertising, promoting, selling, offering for sale, and/or facilitating the sale of
10 any merchandise using any of the Odyssey Marks;

11 b) manufacturing, importing, distributing, advertising, promoting, selling, offering
12 for sale, and/or facilitating the sale of products in connection with any unauthorized
13 promotional, advertising or marketing materials, labels, packaging or containers that picture,
14 reproduce, copy or bear any of the Odyssey Marks;

15 c) creating, operating, hosting, or otherwise affiliating themselves with any Internet
16 website that uses all or part of any of the Odyssey Marks and does not conspicuously
17 represent that the website is not endorsed or sponsored by Plaintiff; and

18 d) affixing, applying, annexing, or using in connection with the manufacturing,
19 importing, distributing, advertising, promoting, selling, and/or offering for sale, a false
20 description or representation including words or other symbols, tending to falsely describe
21 or represent any goods as being those of Plaintiff, or otherwise affiliated with Plaintiff.

22 2) Defendants, jointly and severally, are ordered to pay Plaintiff statutory damages
23 of \$2,000,000 pursuant to 15 U.S.C. §1117(c)(2);

24 3) Defendants, jointly and severally, are ordered to pay Plaintiff's costs of suit
25 pursuant to a bill of costs filed in accordance with 28 U.S.C. § 1920; and

26 4) Defendants, jointly and severally, are ordered to pay post-judgment interest on this
27 award as calculated under 28 U.S.C. §1961(a).

1
2 Dated: 1/20/11



3 Hon. Dale S. Fischer
4 United States District Judge
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28